



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

☒ Permanent Rule
☐ Emergency Rule

Effective date of rule:

Permanent Rules

☐ 31 days after filing.
☒ Other (specify) January 1, 2007 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

☐ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose: Portions of Chapters 296-24 WAC, Part J-3, Powered Platforms, and 296-155 WAC Part J-1; Elevating Work Platforms, have been rewritten for clarity and usability, while making housekeeping revision. Existing rules will be combined into a single book titled Elevating Work Platforms, Chapter 296-869. See Attachment 1 for a list of all new WAC sections.

Citation of existing rules affected by this order: See attachment 2.

Repealed:
Amended:
Suspended:

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

Other authority : None.

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 060-09-069 on April 18, 2006.

Describe any changes other than editing from proposed to adopted version: WAC section 296-869-60020, Travel speed and set-up, has been divided, for clarity, into two separate sections – 296-869-60020, Set-up, and 296-869-60025, Travel speed. This necessitated the renumbering of three sections. WAC sections 296-869-60025, 296-869-60030, and 296-60035 were changed to 296-869-60035, 296-869-60040 and 296-869-60045, respectively.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:
Address:

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: September 19, 2006

NAME (TYPE OR PRINT)

Gary K. Weeks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

WSR# 06-19-073

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>40</u>	Amended	_____	Repealed	<u>28</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>40</u>	Amended	_____	Repealed	<u>28</u>
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Department of Labor and Industries

Division of Occupational Safety and Health

Hearing Date: May 31, 2006

CR-103 Filing Date: September 19, 2006

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NEW SECTIONS:

WAC 296-869-100	Scope
WAC 296-869-200	Section contents
WAC 296-869-20005	Design and construction
WAC 296-869-20010	Modifications
WAC 296-869-20015	Owned, rented, or leased aerial lifts
WAC 296-869-20020	Operator requirements
WAC 296-869-20025	Operator training
WAC 296-869-20030	Operator prestart inspection
WAC 296-869-20035	Workplace survey
WAC 296-869-20040	Before and during use
WAC 296-869-20045	Working from the platform
WAC 296-869-20050	Moving the aerial lift
WAC 296-869-20055	Aerial ladders
WAC 296-869-300	Section contents
WAC 296-869-30005	Manually propelled elevating work platforms
WAC 296-869-30010	Self-propelled elevating work platforms
WAC 296-869-30015	Boom-supported elevating work platforms
WAC 296-869-30020	Modifications
WAC 296-869-400	Section contents
WAC 296-869-40005	Condition
WAC 296-869-40010	Inspections
WAC 296-869-40015	Repairs and adjustments
WAC 296-869-40020	Manufacturer's safety bulletins
WAC 296-869-40025	Inspection and repair records
WAC 296-869-40030	Fueling and battery charging
WAC 296-869-500	Section contents
WAC 296-869-50005	Operator authorization and training
WAC 296-869-50010	Specific model training
WAC 296-869-50015	Operator training records
WAC 296-869-600	Section contents
WAC 296-869-60005	Intended use
WAC 296-869-60010	Workplace survey
WAC 296-869-60015	Hazardous locations
WAC 296-869-60020	Set-up
WAC 296-869-60025	Travel speed
WAC 296-869-60030	Driving
WAC 296-869-60035	Elevating and lowering the platform
WAC 296-869-60040	Working from the platform.
WAC 296-869-60045	Malfunctions or unsafe conditions
WAC 296-869-700	Definitions

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REPEALED SECTIONS:

WAC 296-24-875	Elevating work platforms.
WAC 296-24-87505	Self-propelled elevating work platforms.
WAC 296-24-87510	Boom supported elevating work platforms.
WAC 296-24-87515	Aerial lifts.
WAC 296-24-880	Power platforms for exterior building maintenance.
WAC 296-24-88005	Definitions.
WAC 296-24-88010	Inspections and tests.
WAC 296-24-88015	Powered platform installations--Affected parts of buildings.
WAC 296-24-88020	Powered platform installations--Equipment.
WAC 296-24-88025	Maintenance.
WAC 296-24-88030	Operations.
WAC 296-24-88035	Personal fall protection.
WAC 296-24-88040	Appendix A--Guidelines (advisory).
WAC 296-24-88045	Appendix B--Exhibits (advisory).
WAC 296-24-88055	Appendix D--Existing installations (mandatory).
WAC 296-24-900	Manlifts.
WAC 296-24-90001	Definitions.
WAC 296-24-90003	General requirements.
WAC 296-24-90005	Mechanical requirements.
WAC 296-24-90007	Operating rules.
WAC 296-24-90009	Periodic inspection.
WAC 296-155-481	Scope and Application
WAC 296-155-482	Definitions applicable to this part
WAC 296-155-487	Manually propelled elevating work platforms
WAC 296-155-488	Self propelled elevating work platforms
WAC 296-155-489	Boom supported elevating work platforms
WAC 296-155-490	Aerial lifts
WAC 296-155-496	Non-mandatory appendix C to Part J-1, List of National Consensus Standards

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Citation of existing rules affected by this order:

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